



May 5, 1999

Ms. Sara Fauls
City Attorney
City Attorney's Office
City of Copperas Cove
507 South Main Street
Copperas Cove, Texas 76522

OR99-1224

Dear Ms. Fauls:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 123867.

The City of Copperas Cove (the "city") received a request for a specific ambulance report. You claim that the requested information must be withheld under section 552.101. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. Section 773.091 of the Health and Safety Code provides:

(b) Records of the identity, evaluation, or treatment of a patient by emergency medical services personnel or by a physician providing medical supervision that are created by the emergency medical services personnel or physician or maintained by an emergency medical services provider are confidential and privileged and may not be disclosed except as provided by this chapter.

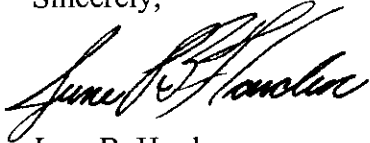
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(g) The privilege of confidentiality under this section does not extend to information regarding the presence, nature of injury or illness, age, sex, occupation, and city of residence of a patient who is receiving emergency medical services.

After careful review, we conclude that except for the information specified in subsection (g), the information contained in Exhibits B, C, D, E and the marked portion of Exhibit F is deemed confidential by section 773.091 and, therefore, may be released only in accordance with chapter 773 of the Health and Safety Code. *See* Health and Safety Code §§ 773.091-.094. We have marked the information in Exhibit F that is not protected by section 773.091 and, therefore, must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "June B. Harden", written in a cursive style.

June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref.: ID# 123867

encl. Marked documents

cc: Bhikhubhai Bhakta
511 E. Business Highway 190
Killeen, Texas 76541
(w/o enclosures)